

the directions, "one 4 times a day," borne on the labeling, were not adequate directions for use; and, Section 502 (j), the article was dangerous to health when used in the dosage or with the frequency or duration prescribed, recommended, or suggested in its labeling.

**DISPOSITION:** December 4, 1945. A plea of guilty having been entered, the court imposed a fine of \$500 and sentenced the defendant to serve 3 months in jail. The jail sentence was suspended and the defendant was placed on probation for 6 months.

**1702. Adulteration and misbranding of boric acid ointment. U. S. v. S. Pfeiffer Manufacturing Co. and John A. Mueller. Pleas of nolo contendere. Corporate defendant fined \$200; individual defendant fined \$20. (F. D. C. No. 16593. Sample Nos. 5625-H, 5626-H.)**

**INFORMATION FILED:** November 13, 1945, Eastern District of Missouri, against the S. Pfeiffer Manufacturing Co., a corporation, St. Louis, Mo., and John A. Mueller, plant manager for the corporation.

**ALLEGED SHIPMENT:** On or about October 7, 1944, from the State of Missouri into the State of Connecticut.

**PRODUCT:** Examination of samples disclosed that the product did not contain any boric acid, but that it contained, in the two samples examined, 0.3 percent and 0.58 percent, respectively, of oil of mustard.

**LABEL, IN PART:** "Gold Medal \* \* \* Boric Acid Ointment U. S. P."

**NATURE OF CHARGE:** Adulteration, Section 501 (d), a substance containing oil of mustard had been substituted in whole or in part for "Boric Acid Ointment U. S. P."

Misbranding, Section 502 (a), the label statements, "Boric Acid Ointment U. S. P." and "A soothing emollient ointment for Chafing, Bruises, Sunburn, Minor Burns and Scalds, and Minor Skin Irritations \* \* \* Cleanse affected area well and apply ointment once or twice daily. Cover with clean gauze or bandage if possible," were false and misleading since the article was not "Boric Acid Ointment U. S. P.," and it was not a soothing emollient ointment for the conditions stated.

Further misbranding, Section 502 (j), the article, because of the presence of oil of mustard, was dangerous to health when used in the dosage or with the frequency or duration prescribed, recommended, and suggested in the labeling, "cleanse affected area well and apply ointment once or twice daily. Cover with clean gauze or bandage if possible."

**DISPOSITION:** January 15, 1946. Pleas of nolo contendere having been entered on behalf of the defendants, the court imposed upon the corporate defendant a fine of \$100 on each of 2 counts; and the court also imposed upon the individual defendant a fine of \$10 on each of 2 counts.

#### NEW DRUG SHIPPED WITHOUT EFFECTIVE APPLICATION

**1703. Misbranding of Hyatrone Androgenic Hormone Preparation. U. S. v. 20 Jars of Hyatrone Androgenic Hormone Preparation, and an accompanying booklet. Default decree of condemnation and destruction. (F. D. C. No. 19013. Sample No. 7323-H.)**

**LABEL FILED:** January 28, 1946, District of New Jersey.

**ALLEGED SHIPMENT:** From New York, N. Y., by the Johay Corporation. The product was shipped on or about August 4, 1945, and the booklet was shipped subsequent to that date.

**PRODUCT:** 20 jars of *Hyatrone Androgenic Hormone Preparation* at Hohokus, N. J., together with a booklet entitled "Hyatrone \* \* \* Hormone Preparations for Men and Women."

**LABEL, IN PART:** "Hyatrone Androgenic Hormone Preparation Contains 36,100 MG Pure Crystalline Testosterone."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements on the labels of the article, in the booklet, and in a letter addressed to the consignee by the Johay Corporation, were false and misleading since they represented and suggested that the article would combat old age, compensate hormone deficiency, prolong the prime of life, restore the vigor of youth, build new tissues, promote endurance, improve mental capacity, stimulate new strength, correct impotency, and renew confidence. The labeling represented further that the article would